

## City Planning Commission Meeting – February 24, 2015

### CONSIDERATION – SUBDIVISION DOCKET 001/15

**Applicant:** SBP Real Estate Inc.

**Prepared By:** Nicholas Kindel

**Date:** February 11, 2015

**Deadline:** March 7, 2015

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### GENERAL INFORMATION

**Proposal:** Resubdivision of Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 30, 31, 35, 36, 37, A, B, and C, and Tracts C, D, and E into Parcel A.

**Location:** The site is located on Square 337, in the Second Municipal District, bounded by Toulouse, N. Dorgenois, St. Peter, and N. Broad Streets. The municipal addresses are 629-643 N. Dorgenois Street, 2619-2645 Toulouse Street, and 2612-2640 St. Peter Street. (PD 4)

**Zoning:** LI Light Industrial District and Lafitte Greenway Revitalization Corridor Interim Zoning District

#### **Current**

**Land Use:** The site is currently unoccupied residential and industrial uses (laundry/dry cleaning and junk yard).

#### **Proposed**

**Use:** The site is proposed to be a 24,841 square foot office and warehouse building.

**Required:** The proposed request is to resubdivision twenty existing lots into one lot, Parcel A. The resulting lot would be irregularly shaped with frontages on Toulouse, N. Dorgenois, and St. Peter Streets.<sup>1</sup> The proposed Parcel A would measure 250.6.0<sup>2</sup> feet along Toulouse Street, 106.4.4 feet along N. Dorgenois Street, 281.9.5 feet along St. Peter Street, and 306.6.2 feet on the N. Broad Street side of the property. The total area of the site is approximately 93,196 square feet or 2.14 acres.

The applicant proposes to build a new 24,841 square foot office and warehouse as the new headquarters for the St. Bernard Project with additional space for lease.<sup>3</sup> The first floor has 8,364 square feet of warehouse space, 1,167 square feet of

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<sup>1</sup> The lots at the corners Toulouse and N. Dorgenois Streets and St. Peter and N. Dorgenois Streets are not part of the proposed, so the resulting lot has the appearance of a rectangle with a couple of corner cut out of it (see Figure 1).

<sup>2</sup> Measures are shown in feet.inches.lines, with 12 inches per foot and 8 lines per inch.

<sup>3</sup> This information come from the plans filed with Safety and Permits for the building permit for the proposed structure (14-39601-NEWC).

assembly and lobby space, and 7,308 square feet of office space. The second floor measures 8,002 square feet, all of which is for office use. In addition, the applicant proposes three off-street loading spaces and 44 off-street parking spaces.

The proposed lot would be considered a double frontage lot. **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations* states that double frontage lots shall be avoided except where essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses. It also allows for the creation of a double frontage lot in an established urban environment where a similar development pattern already exists in the surrounding blocks and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present. Since the proposed subdivision is not in compliance with all of the subdivision regulations, it must be considered by the City Planning Commission.

## **LOT SIZE**

### **Existing Lots:**

Nineteen of the twenty lots are rectangular parcels of land, and the remaining lot, Tract D, is a flag lot. The dimensions of the existing lots and tracts are shown in Table 1. There are not any minimum lot width, depth, area, or yard requirements in the LI Light Industrial District; therefore the existing lots are compliant.

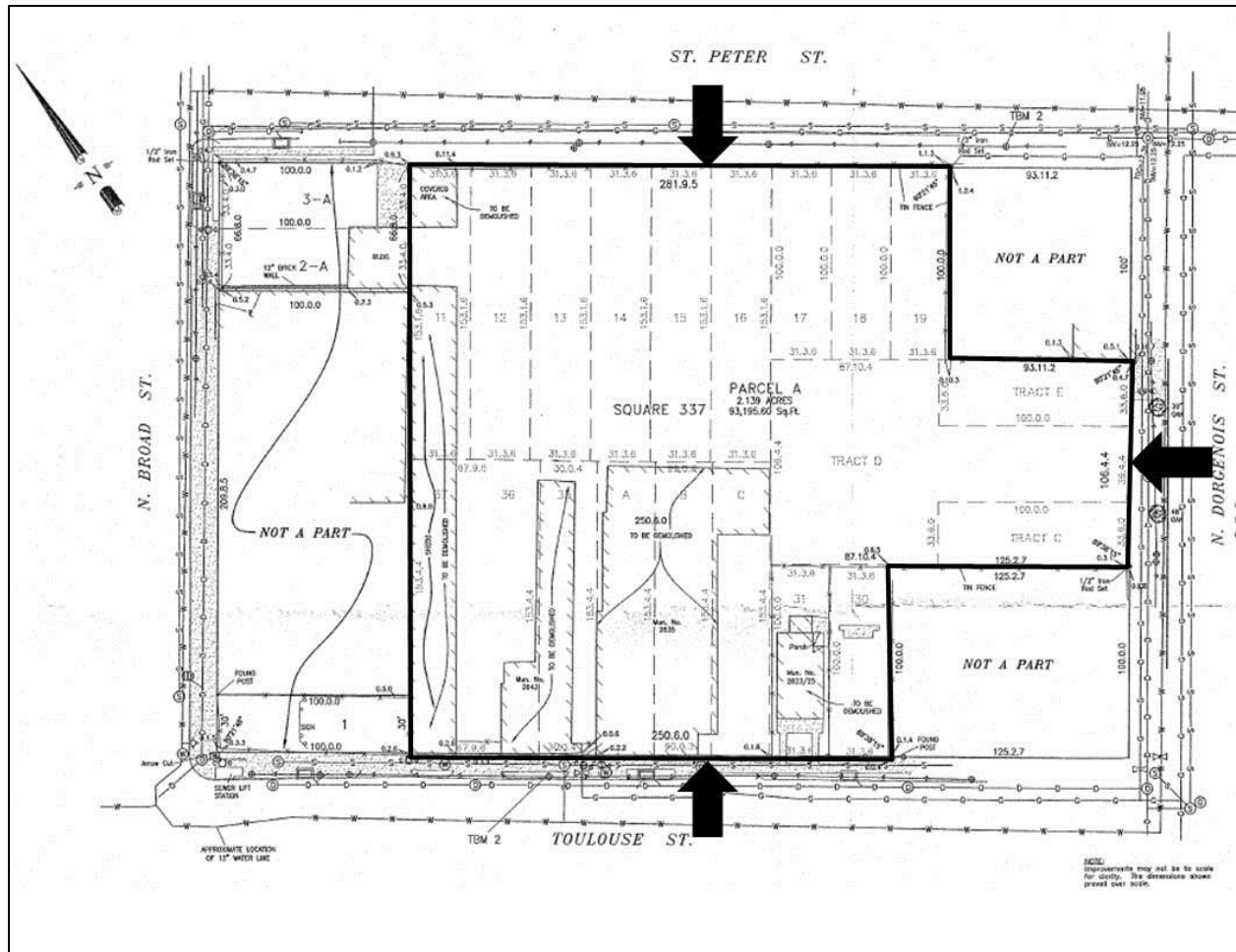
**Table 1: Dimensions of Existing Lots**

<b>Lot Designation</b>	<b>Lot Width</b>	<b>Lot Depth</b>	<b>Approximate Lot Area</b>
Lot 11	31.3.6	153.1.6	4,795 sq. ft.
Lot 12	31.3.6	153.1.6	4,795 sq. ft.
Lot 13	31.3.6	153.1.6	4,795 sq. ft.
Lot 14	31.3.6	153.1.6	4,795 sq. ft.
Lot 15	31.3.6	153.1.6	4,795 sq. ft.
Lot 16	31.3.6	153.1.6	4,795 sq. ft.
Lot 17	31.3.6	100.0.0	3,131 sq. ft.
Lot 18	31.3.6	100.0.0	3,131 sq. ft.
Lot 19	31.3.6	100.0.0	3,131 sq. ft.
Lot 30	31.3.6	100.0.0	3,131 sq. ft.
Lot 31	31.3.6	100.0.0	3,131 sq. ft.
Lot 35	30.0.4	153.4.4	4,608 sq. ft.
Lots 36 & 37	67.9.6	153.4.4	10,401 sq. ft.
Lots A, B, & C	90.0.3	153.4.4	13,809 sq. ft.
Tract C	33.6.0	100.0.0	3,350 sq. ft.
Tract D	39.4.4 & 106.4.4	187.10.4	13,285 sq. ft.
Tract E	33.6.0	100.0.0	3,350 sq. ft.

## Proposed

### Lot:

The proposed Parcel A would be an irregularly shaped lot (see Figure 1 below). Parcel A would measure 250.6.0 feet along Toulouse Street, 106.4.4 feet along N. Dorgenois Street, 281.9.5 feet along St. Peter Street, and 306.6.2 feet on the N. Broad Street side of the property. The proposed lot would have multiple lot frontages, which requires consideration under **Article 5, Section 5.5.5 Double Frontage Lots** of the *New Orleans Subdivision Regulations*. The total area of the site is approximately 93,196 square feet or 2.14 acres.



**Figure 1:** Proposed configuration of Parcel A with multiple street frontages

## ANALYSIS

### *Development in the Vicinity*

The subject site is part of an LI Light Industrial District generally bounded by the Lafitte Greenway, N. Rocheblave Street, St. Peter Street, and midblock between N. Salcedo and N. Gayoso Streets. This district contains a mix of industrial, commercial, and residential uses. The site is also located within the Lafitte Greenway Revitalization Corridor Interim Zoning District,

which limits the use of properties in the LI Light Industrial District to the allowed uses in the C-1A General Commercial District.<sup>4</sup> Uses on the subject square include a planned movie theater and vacant commercial/industrial lots along N. Broad Street and residential structures, both vacant and occupied, at the corners of Toulouse and N. Dorgenois Streets and St. Peter and N. Dorgenois Streets.

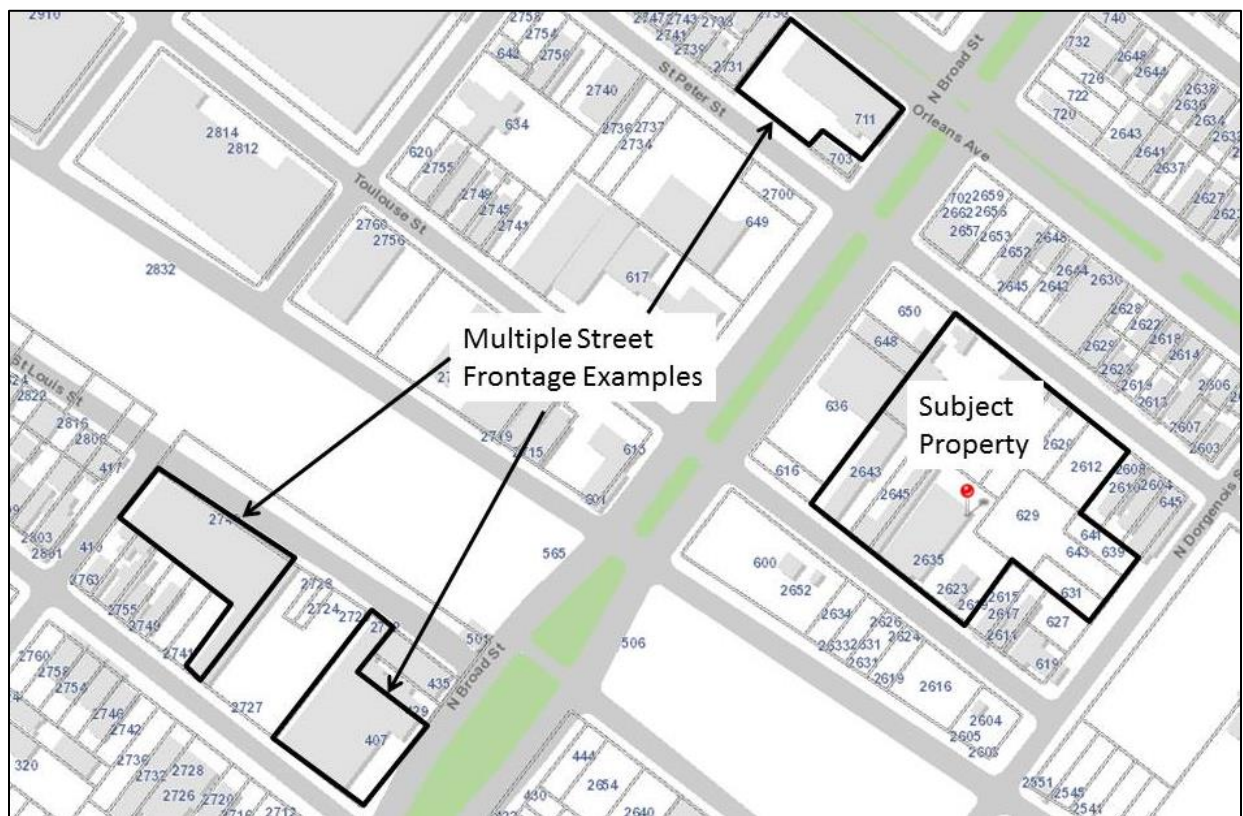
Lots within the district are of varying sizes, ranging from small residential and commercial lots that are less than 1,800 square feet to those that occupy an entire square and are about 2 acres in size. The issue with the proposed subdivision is that it fronts multiple lots, while not being a corner lot. There are many other examples in the area of lots with multiple frontages. Across St. Peter Street from the subject property are multiple examples of through lots between St. Peter Street and Orleans Avenue at 2611 St. Peter Street, 2630 Orleans Avenue, 2642 Orleans Avenue, 2650 Orleans Avenue, and 2654 Orleans Avenue (see Figure 2 below).



**Figure 2:** Through lots adjacent to the subject property

More applicable to the situation with the subject property are properties in the vicinity that are large and have multiple street frontages that are not corner lots. Examples of these types of properties within a few blocks of the subject property are located at 407 N. Broad Street, 711 N. Broad Street, and 2740 St. Louis Street (see Figure 3 below).

<sup>4</sup> This limitation in uses, which impacts the subject property, will be discussed further in the Comprehensive Zoning Ordinance review below.



**Figure 3:** Multiple frontage lots adjacent to the subject property

### *Utilities & Regulatory Agencies*

As part of the review process for subdivision proposals, the City Planning Commission staff requests responses from the Department of Property Management's Division of Real Estate and Records, the Department of Public Works, the Department of Safety and Permits, the Sewerage and Water Board, and Entergy. The purpose of the reviews by these agencies is to determine whether the proposed subdivision would have any impact on the City's infrastructure and whether it would comply with the City's building code and other applicable regulations.

At the time of this report, the staff had received responses from three of the requested agencies: the Department of Safety and Permits, the Division of Real Estate and Records, and the Sewerage and Water Board. All three agencies reported no objection to the subdivision request. The remaining reviewing agencies have thirty days to provide a written response to the City Planning Commission, after which time the Executive Director may consider that the agencies have approved the proposal.<sup>5</sup>

<sup>5</sup> **Article 4, Section 4.1.3. Processing the Subdivision Request** of the *Subdivision Regulations*.

**COMPLIANCE WITH THE COMPREHENSIVE ZONING ORDINANCE, THE MASTER PLAN, AND THE SUBDIVISION REGULATIONS:**

*Comprehensive Zoning Ordinance*

The petitioned site is located in a LI Light Industrial District. Since the site is located in the Lafitte Greenway Revitalization Corridor Interim Zoning District, the uses of properties in the LI Light Industrial District are limited to the allowed uses in the C-1A General Commercial District. Both the proposed office and warehouse are permitted uses in the C-1A District; however, any single use greater than 10,000 square feet is a conditional use. The Zoning Administrator in the Department of Safety and Permits determined that all of the multiple uses in the proposed 24,841 square foot structure are less than 10,000 square feet so conditional use approval is not required.<sup>6</sup>

The Lafitte Greenway Revitalization Corridor Interim Zoning District only impacts the use of properties, so the LI Light Industrial District development standards apply to the resubdivision and the proposed structure. **Article 7, Section 7.3.7 (Table 7.C) Height, Area, and Bulk Requirements** of the Comprehensive Zoning Ordinance provides the development standards for the LI District. There are not any minimum lot dimensions, size, or setback requirements in this district. The proposed structure meets the maximum height requirement of 75 feet, maximum floor area ratio of 1.0, and the required 44 off-street parking spaces and 3 off-street loading spaces in **Article 15** of the Comprehensive Zoning Ordinance.

Multiple frontage lots are discouraged because they surround adjacent properties and can have a negative impact on those surrounded properties if the land uses are inconsistent. In this case, the applicant proposes a commercial/industrial use with a large parking lot that would surround the adjacent residential properties. This development, and more specifically its large parking lot, could have a negative visual impact on the surrounding residential properties at the corner of N. Dorgenois and Toulouse Streets and the corner of N. Dorgenois and St. Peter Streets. **Article 15, Section 15.2.5.8(a), Screening** states that off-street parking areas for ten or more automobiles should provide a continuous visual screen with a minimum height of six feet from any lot where a residential dwelling is a permitted use.<sup>7</sup> Given the impact of the proposed subdivision and the requirement to screen large parking lots from adjacent residential uses, the staff recommends the following proviso:

- Prior to the issuance of a Certificate of Use and Occupancy by the Department of Safety and Permits, the applicant shall install a continuous visual screen of landscaping, wall, fence, or any combination thereof at least six feet in height along the property lines with the adjacent parcels at the corners of N. Dorgenois and Toulouse Streets and N. Dorgenois and St. Peter Streets.

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<sup>6</sup> Per the zoning approval of building permit 14-39601-NEWC and in conversations that the City Planning Commission staff had with the Zoning Administrator.

<sup>7</sup> The subject property and adjacent properties are located in a LI Light Industrial District where residential dwellings are not a permitted use. However, the Lafitte Greenway Revitalization Corridor IZD limits properties in LI Districts to the uses allowed in the C-1A General Commercial District. Residential dwellings are a permitted use in the C-1A District, so the screening requirements shall apply.

With this proposed proviso, the staff finds that this proposal meets all of the Comprehensive Zoning Ordinance requirements.

#### *Plan for the 21<sup>st</sup> Century: New Orleans 2030*

A land use action is consistent with the *Plan for the 21<sup>st</sup> Century: New Orleans 2030*, commonly known as the Master Plan, if it furthers, or at least does not interfere with, the goals, policies, and is compatible with the proposed future uses, densities, and intensities designated in the Land Use Element of the Plan. Chapter 14 of the Master Plan, the Land Use Plan, designates the future land use of the petitioned site as “Mixed-Use Medium Density.” The goal, range of uses, and development character for that designation are provided below:

#### **MIXED-USE MEDIUM DENSITY**

**Goal:** Create medium-density neighborhood centers to enhance walkability and serve as focal points within neighborhoods. Proximity to transit encouraged.

**Range of Uses:** Medium-density single-family, two-family and multifamily residential and commercial uses. Limited light industrial uses (craft and value added industry and passive warehousing and storage) may be allowed in some areas.

**Development Character:** Height/mass and density of new development varied to ensure proper transitions to surrounding lower density residential neighborhoods. Many structures will feature ground floor retail with residences on upper floors.

The applicant intends to construct an office, a commercial use, and a warehouse, a light industrial use on the site. Both of these proposed uses are included in the Mixed-Use Medium Density land use designation’s range of uses.<sup>8</sup> The proposal fits in with the allowed development character for the area. Therefore, the staff believes the proposal **is consistent with** the Master Plan.

#### *Subdivision Regulations*

The proposed lot meets the minimum lot width of 50 feet and lot depth of 100 feet for commercial and/or industrial properties in **Article 5, Section 5.5.1 Lot Size** of the *New Orleans Subdivision Regulations*. As noted above, the proposed lot would be a double frontage lot. **Article 5, Section 5.5.5 Double Frontage Lots** of the *Subdivision Regulations* discourages the creation of double frontage lots except in instances that meet one of the following criteria:

1. Where the creation of a double frontage lot would be essential to provide separation of residential development from major streets or to overcome specific disadvantages of topography or adjacent non-compatible land uses, or

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<sup>8</sup> Given the history of industrial uses on this site and in the neighborhood, the limited light industrial warehouse use is appropriate for this area.



2. Where a double frontage lot would be located in an established urban environment in which a similar development pattern already exists in the surrounding blocks, and where a second frontage would provide for off-street parking and fire access to the building that would otherwise not be present.

The proposed subdivision does not involve a residential property or a major street, so the first criteria does not apply. The proposed subdivision meets a portion of the second criteria. As shown in Figure 2 and 3, the site is located in an established urban environment, and there are many examples of multiple frontage lots in the vicinity of the subject property. However, the configuration of the proposed subdivision with multiple frontages is not required to provide off-street parking and fire access to the building. Since the proposed subdivision does not completely meet the double frontage lot criteria, this case must be considered by the City Planning Commission. The staff finds that with the existence of other large and multiple frontage lots, the proposed subdivision is consistent with the character of the lots in the surrounding area. With the proposed proviso to screen the parking lot for adjacent residential properties, the request would have minimum negative impact on the surrounding properties. As such, the staff finds that this request is consistent with the *Subdivision Regulations*.

## **SUMMARY**

Subdivision Docket 001/15 is a request to subdivide twenty lots into a single lot of record. The proposed subdivision would allow the applicant to construct an approximately 25,000 square foot office and warehouse building. The property is located in an LI Light Industrial District and the Lafitte Greenway Revitalization Corridor Interim Zoning District. The proposed subdivision would result in lot frontages on Toulouse, N. Dorgenois, and St. Peter Streets. The proposed subdivision does not completely meet the criteria for double frontage lots. However, the resulting lot is consistent with the character of the neighborhood, which includes many large lots and lots with multiple street frontages. With the proposed proviso to screen the parking lot from the adjacent residential structures, the proposed subdivision will have little negative impact on the surround properties.

## **PRELIMINARY STAFF RECOMMENDATION**

The staff recommends **TENTATIVE APPROVAL** of Subdivision Docket 001/15, with final approval subject to four provisos:

1. Prior to the issuance of a Certificate of Use and Occupancy by the Department of Safety and Permits, the applicant shall install a continuous visual screen of landscaping, wall, fence, or any combination thereof at least six feet in height along the property lines with the adjacent parcels at the corners of N. Dorgenois and Toulouse Streets and N. Dorgenois and St. Peter Streets.
2. The applicant shall comply with any requirements deemed necessary by Department of Property Management's Division of Real Estate and Records, the Department of Public Works, the Department of Safety and Permits, the Sewerage and Water Board, and Entergy.



3. The applicant shall comply with all other Subdivision Regulations, which includes the submittal of mortgage certificates, a consent letter from the mortgage company (if applicable), and tax certificates for the site.
4. The applicant shall submit a reproducible copy and two prints and a digital copy of the final subdivision survey in dwg, dxf, or ESRI compatible file format.

#### **REASONS FOR RECOMMENDATION**

1. The proposed lot is consistent with the development pattern in the neighborhood.
2. The proposed subdivision is consistent with the Comprehensive Zoning Ordinance and the *Plan for the 21<sup>st</sup> Century: New Orleans 2030*.
3. With the proposed parking lot screening proviso, there will be minimal negative impact on the surrounding properties.